IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 14902 of 2004

Between:

1 D. Uma Maheswara Rao, S/o Suryanarayana,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
2 S. Ramakrishna, S/o Varahalu,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
3 K. Prasada Rao, S/o Viswanadham,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
4 K. Kanaka Raju, S/o Chitti,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
5 B. Laxmana Rao, S/o Late Ramapathi Rao,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
6 S. Narasinga Rao, S/o Satyam,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
7 V.V.S. Chandra Sekhar, S/o V. Subba Rao,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
8 Ch.S.V.V. Prasada Rao, S/o Ananta Rao,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
9 D. Ramesh, S/o Seetharambabu,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.
10 A.V. Rama Rao, S/o Rambabu,
A.P. Eastern Power Distribution Company Limited,

Visakhapatnam, R/o Visakhapatnam.

..... PETITIONERS

AND

1 A.P. Eastern Power Distribution Company Limited, rep. by its

Chairman & Managing Director, Opp: Saraswati Park, Visakhapatnam.
2 The Superintending Engineer, Operation Circle, A.P. Eastern Power

Distribution Company Limited, Opp: Green Part Hotel, Visakhapatnam.
3 The Divisional Electrical Engineer, A.P. Eastern Power Distribution

Company Limited, Operation Zone-I, Opp: Green Part Hotel,

Visakhapatnam.
4 The Divisional Electrical Engineer, A.P. Eastern Power Distribution

Company Limited, Operation Zone-II, Kancharapalem,

Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order or direction more particularly one in the nature of Writ of Mandamus: a) Declare that the petitioners are entitled to be reinstated into service on par with 11 other employees who had been reinstated into service vide proceedings dated 28-7-2004 against whom criminal case as well as departmental proceedings were pending; b) Direct the respondents to reinstate the petitioners into service forthwith on par with 11 other persons who had been reinstated into service vide proceedings dated 28-7-2004,

Counsel for the Petitioners: MR.NUTY RAM MOHAN RAO

Counsel for the Respondents: MR.M.SUBBA RAO (SC FOR APTRANSCO)

The Court at the admission stage made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.14902 OF 2004

ORAL ORDER:

The petitioners are working in the respondent-Company. They are facing a departmental enquiry along with other employees. The respondent-Company also initiated prosecution against these petitioners along with other employees.

2. The learned counsel for the petitioners represented that when the other employees made representations, they were reinstated by the company, and one of such proceedings is dated 28-07-2004 in respect of an employee by name G.Srinivasa Rao. The petitioners approached this Court through this Writ Petition to declare that the petitioners are entitled to be reinstated into service on par with eleven other employees reinstated into service vide proceedings dated 28-07-2004. The petitioners further submitted that though they made similar representations on 09-08-2004 for reinstatement, the first respondent received the representations but did not pass any orders on those representations. The petitioners therefore, seek a direction to the first respondent to consider their representation for reinstatement and to pass appropriate orders.

3. In the light of the circumstances explained by the petitioners, the first respondent is directed to consider the representations of the petitioners dated 09-08-2004 for reinstatement on par with other employees and pass appropriate orders within one month from the date of receipt of a copy of this order, if the petitioners are similarly placed with the other employees.

4. The Writ Petition is accordingly disposed of. No order as to costs.

Sd/-P.V.RADHA KRISHAN RAO

ASST.REGISTARAR

//TRUE COPY//

Section Officer

To

1. The Chairman & Managing Director A.P. Eastern Power Distribution Company Limited, Opp: Saraswati Park, Visakhapatnam.

2 The Superintending Engineer, Operation Circle, A.P. Eastern Power

Distribution Company Limited, Opp: Green Part Hotel, Visakhapatnam.
3 The Divisional Electrical Engineer, A.P. Eastern Power Distribution

Company Limited, Operation Zone-I, Opp: Green Part Hotel,

Visakhapatnam.
4 The Divisional Electrical Engineer, A.P. Eastern Power Distribution

Company Limited, Operation Zone-II, Kancharapalem,

Visakhapatnam.

5. Two C.D. Copies.

6. One cc to Mr.Nuty Ram Mohan Rao, Advocate (OPUC)

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HIGH COURT

DATED:

23.8.2004

ORDER:

W.P.NO. 14902 OF 2004

DISPOSING THE WP

WITHOUT COSTS